

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/13/24

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ESMIRALDA KONYUKHOVA,	:	
	:	
Plaintiff,	:	
	:	24-CV-4390(VEC)
-against-	:	
	:	<u>ORDER</u>
WALGREEN COMPANY, SEDGWICK	:	
CLAIMS MANAGEMENT SERVICES, &	:	
WALGREENS COMPANY PAID DISABILITY	:	
PLAN FOR SALARIED TEAM MEMBERS,	:	
PHARMACISTS, & PARAPROFESSIONALS,	:	
Defendants.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on June 7, 2024, Plaintiff filed the Complaint, *see* Dkt. 1;

WHEREAS on November 26, 2024, Plaintiff filed a letter requesting that her attorneys be removed from her case and that she be allowed to proceed *pro se* while she retains other counsel, *see* Dkt. 29;

WHEREAS on December 2, 2024, the Court directed Plaintiff's attorneys to discuss Plaintiff's letter with their client and inform the Court whether they wish to make a motion to withdraw as counsel, *see* Dkt. 30;

WHEREAS on December 5, 2024, Plaintiff filed a second letter requesting that her attorneys be removed from her case because they did not follow the Court's order to discuss the contents of her prior letter with her and representing that Plaintiff terminated her attorneys' legal services, *see* Dkt. 32;

WHEREAS on December 9, 2024, the Court ordered Plaintiff's attorneys to file a motion to withdraw as counsel and respond to Plaintiff's allegations that they failed to comply with the Court's prior order by December 20, 2024, *see* Dkt. 33;

WHEREAS on December 10, 2024, Plaintiff's attorneys from Ballon Stoll, P.C. ("Ballon Stoll") filed a motion pursuant to S.D.N.Y. Local Civil Rule 1.4 for leave to withdraw as counsel for Plaintiff (the "Motion"), *see* Dkts. 35–36; and

WHEREAS Plaintiff's attorneys seek a charging lien for attorneys' fees to be awarded at the conclusion of the case, *see* Dkt. 37 at 1.

IT IS HEREBY ORDERED that Ballon Stoll's Motion is GRANTED. Ballon Stoll's motion for a charging lien is GRANTED.

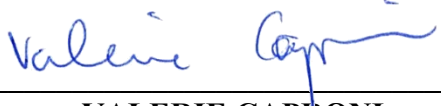
IT IS FURTHER ORDERED that Defendants' time to respond to Amended Complaint is STAYED. The initial pretrial conference, currently scheduled for **January 17, 2025 at 10:00 A.M.**, is ADJOURNED to **January 31, 2025 at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties' joint letter is due no later than January 23, 2025.

Plaintiff must either have retained new counsel by January 31, 2025, and that counsel must have filed a notice of appearance, or Plaintiff will need to be prepared to proceed *pro se*.

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff at 51 Morris Drive, Old Bridge, New Jersey, 08857.

SO ORDERED.

Date: December 13, 2024
New York, NY



VALERIE CAPRONI
United States District Judge